CHAPTER 18

MOTOR VEHICLE ACCIDENTS

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CHAPTER 18

MOTOR VEHICLE ACCIDENTS

18.00 INTRODUCTION

Provides information on the forms and reporting procedures that the driver or operator, and his/her supervisor, or responsible person in the chain-of-command, are responsible to do following a motor vehicle accident.

18.01 PURPOSE

Ensures uniform reporting and documentation of motor vehicle accidents.

18.02 POLICY STATEMENT

When an employee is involved in a motor vehicle accident while driving a state-owned, rented, or privately-owned vehicle on official state business he/she shall report the accident on the appropriate forms, and in a timely manner.

18.03 MOTOR VEHICLE ACCIDENTS REPORTING AND FORMS

The following describes what the driver or operator, and the supervisor of his/her chain-of-command, is responsible to do following a motor vehicle accident.

The State Administrative Manual (SAM), Section 2430, requires the employee, or operator of the vehicle, and the supervisor to comply with the following:

- The Caltrans driver **must** complete a Form STD. 269, by recording all pertinent information on the form before leaving the accident scene.
- The first section of the form is designed to be detached and given to the driver of the other vehicle or property owner.
- The Caltrans driver will transfer the information from the Form STD. 269 to a Form STD. 270 VEHICLE ACCIDENT REPORT.

Additionally, the operator must report all motor vehicle accidents and/or property damage accidents to his/her supervisor as soon as possible.

When the other party inquires about insurance coverage, or insurance related questions, the Caltrans driver/operator should inform the other driver/property owner to direct their questions to the DGS, ORIM. Provide the other party the address and telephone number of the ORIM Claims Unit shown on the card.

If at any time following the accident, the driver/employee is served with any legal papers, ORIM Claims Unit should be called immediately.

Form STD, 269

If the accident causes an injury to persons (other than a Caltrans employee), or involves damage to the property of others, the Caltrans driver must immediately call the ORIM. The Form STD. 269 ACCIDENT IDENTIFICATION CARD is a state form required by the DGS, (ORIM), and Caltrans management.

If an accident occurs on weekends or on holidays, it must be reported as soon as possible, but it is reported to a different telephone number. The specific contact numbers are identified on the STD. 269 card.

The purpose of the Form STD. 269 is to record pertinent information about the accident while still at the accident scene. The information on the Form STD. 269 is transferred onto a Form STD. 270. Within 48-hours, the accident must be reported to ORIM by mail or FAX on a Form STD. 270. The Caltrans driver must complete a Form STD. 269 for all motor vehicle and/or motorized equipment accidents regardless of the ownership of the vehicle at the accident scene and the amount of damage.

A copy of a Form STD. 269 should be located in the storage (glove) compartment of every state-owned vehicle. The form is an eight-sided, folded card, about 4 inches by 6 inches, printed back-to-back. If using your private vehicle or rental, a copy should be obtained and have available when you travel on state business.

If the driver is unable to complete the Form STD 269, the supervisor is responsible to complete the form for the employee, and ensure that the accident is reported to ORIM within 48-hours by mail or FAX on a Form STD. 270. If the supervisor is not available, a co-worker, or other person should ensure that the facts surrounding the accident are recorded on a Form STD. 269, and the form is sent to an appropriate member within the employee's chain-of-command who must report to ORIM within 48-hours by mail or FAX on a Form STD. 270.

After the information is transferred from the Form STD. 269 to the Form STD. 270, the supervisor may retain, or destroy their copy of the Form STD. 269.

The information on the Form STD. 269 should be considered as "confidential" and should be destroyed in the proper manner.

A sample of Form STD. 269, ACCIDENT IDENTIFICATION CARD is shown at the end of this chapter.

The Form STD. 269 is NOT a substitute for completing a Form STD. 270.

Form STD, 270

The Caltrans driver must complete a Form STD 270 VEHICLE ACCIDENT REPORT for all motor vehicle and/or motorized equipment accidents regardless of the ownership of the vehicle at the accident scene, amount of damage, or repair cost. A separate STD 270 must be completed for each state vehicle involved or damaged. The Form STD. 270 is a state form required by the DGS, ORIM, and Caltrans.

WITHIN 48-HOURS, THE ACCIDENT MUST BE REPORTED TO ORIM BY MAIL OR FAX ON A FORM STD. 270, VEHICLE ACCIDENT REPORT.

If the accident causes an injury to persons (other than a Caltrans employee), or involves damage to the property of others, the Caltrans driver must immediately call ORIM.

NOTE: A STD. 270 is required for equipment failures that cause an accident such as loading or unloading, towing, equipment failure or glass damaged by sand or an accumulation of scratches, but <u>not</u> for those times in which there is equipment failure or glass damage <u>only</u>.

The most current version of the Form STD. 270 is available from supervisors, District or Headquarters Safety and Health Offices and the Caltrans Electronic Forms System on the Caltrans Intranet at

http://10.112.5.23:8080/v2Forms/servlet/FormRenderer; jsessionid=86D6FEFBAF1A9E0E5 1806720EEC6A248?frmid=pms0270&distpath=safe&brapath=vehacc

Form PMS-S-270

The purpose of the PMS-S-270, "Data Input For Motor Vehicle Accident" form is:

- To collect data that will identify the employee, the equipment, and detailed information describing the physical and environmental conditions surrounding the accident by establishing a computer file;
- To document the Accident Prevention Plan (shown on the reverse side) by having the supervisor and others review and discuss the details of the accident with the driver to select the root cause;

- To document the preventability of the accident based upon Caltrans Vehicular Accident Classification Standards; and
- To ensure that First Line Supervisors are taking necessary corrective or disciplinary action to avoid future accidents.

The following is instructions on how to file a Form PM-S-0270:

- Based upon the information provided by the driver/operator, and after completing an investigation, the first-line supervisor fills out the front of the form. All boxes describing physical and environmental conditions must be completed;
- Supervisors are responsible to ensure that all of the data fields have been reviewed and all the information on the computer input document is complete and accurate. If you need assistance, call your local Health and Safety Office;
- After completing the front of the form, the first-line supervisor shall review the back side of
 the form and select the appropriate "preventability" that best fits the circumstances
 surrounding the accident;
- After selecting the accident classification, the first-line supervisor shall complete the lower section of the form by filling out the Accident Prevention Plan as shown on the reverse side of the form; and
- The second-line supervisor shall review the first-line supervisor's comments and indicate his/her agreement or disagreement with the first-line supervisor's recommendations and corrective actions. Subsequent levels of review shall include the District/Headquarters Safety and Health Officer.

The form must be filled out to ensure that an accident has been properly documented and included in the SIMS computer data base. The form is only for internal Departmental use by the District/Headquarters Safety and Health Office staff.

18.04 RESPONSIBILITIES OF FIRST AND SECOND-LINE SUPERVISORS

Responsibilities of the **First-line Supervisor** are as follows:

- Ensure the employee is provided with medical care, Workers' Compensation forms (Chapter 10), and notify Cal-OSHA if needed (Chapter 19);
- Obtain copies of accident reports prepared by the California Highway Patrol (CHP) or reports prepared by local police jurisdictions. He or she may obtain these reports as an "interested party" and at no cost. *Do not* delay submitting a Form STD 270 within 48 hours to ORIM. Police reports and other documents may be obtained at a later date. Copies of the report(s) shall be given to the District Claims Officer or District/Headquarters Safety and Health Officer, who will arrange for the police report to be sent to the DGS, ORIM;
- Ensure all motor vehicle accidents are promptly investigated, documented, and properly reported to their chain-of command and the Safety Office;
- Ensure the employee understands when and how to complete the Form STD. 269 and Form STD. 270. Should the driver be unable to do so, the supervisor shall fill out the form(s);
- Review the completed Form STD. 270, VEHICLE ACCIDENT REPORT, analyze the information, determine the basic cause, and sign as Reviewing Officer (see section 18.05);
- Check the driving history of the affected employee to see if he/she has had any recent
 accidents that may influence the supervisor's decision to consider training and/or disciplinary
 action;
- Complete the Form PM-S-0270, DATA INPUT FOR MOTOR VEHICLE ACCIDENT. Make comments regarding appropriate corrective action taken to prevent similar accidents, determine and assign "preventability";
- Classify the accident as either preventable or non-preventable on the STD. 270;
- Prepare and/or cooperate with notifying the employee if the accident is determined to be "preventable" as the employee may be denied benefits and/or awards; and
- The supervisor or person having charge over the state vehicle is responsible to complete STD 270 for acts of vandalism or damage sustained while parked if vehicle was not currently assigned to other employee at the time of damage.

Responsibilities of the **Second-Line Supervisor** are as follows:

- Review Form STD. 270, VEHICLE ACCIDENT REPORT, and Form PM-S-270, DATA INPUT FOR MOTOR VEHICLE ACCIDENT for completeness and any corrective action;
- Discuss the driving history of the affected employee with the first-line supervisor to see if he/she has had any recent accidents that may impact what disciplinary action may be appropriate; and
- Forward the original copy of the Form STD. 270, and the Form PM-S-0270, to the District Safety and Health Office for accidents <u>involving District employees</u>, and to the Headquarters Office of Safety and Health for employees assigned to <u>Headquarters sourced units</u>. If he/she is an Equipment Shop employee, send the original form directly to the Headquarters Safety Office and a copy to the appropriate District Safety Office.

Responsibilities of the **District or Headquarters Safety and Health Officer** are as follows:

- Review the Form STD. 270, VEHICLE ACCIDENT REPORT, analyze the information, and determine the basic cause of the accident:
- Review the comments/recommendations by the first and second-line supervisors to ensure it is appropriate, correct, and "preventability" has been determined and assigned. The Headquarters Office of Safety and Health and the District Safety Officers have final authority to determine the "preventability" assigned to any accident or to any employee;
- Notify the first and second-line supervisor if there is disagreement about "preventability" he/she may have selected and assigned to a specific accident;
- The District or Headquarters Office of Safety and Health staff will arrange for the reports to be sent to the DGS, ORIM. This state agency acts as the Department's insurance adjusting agent in vehicle accident claims and related insurance procedures; and
- Input accident information from the 270 into the Safety Information Management System.

18.05 MOTOR VEHICLE ACCIDENT CLASSIFICATIONS

The following defines the Caltrans Vehicular Accident Classification system.

For the purpose of this manual, a "motor vehicle" is defined as either a state-owned (Caltrans or General Services), privately-owned, or commercial rental motor vehicle being operated by a state employee while on official state business.

"Equipment" is defined as motorized construction equipment or equipment used in the construction and/or maintenance of highways typically operated by Caltrans.

"Other vehicles" are defined as a non-state employee/adverse party owned vehicle or property involved in an accident resulting in personal injury or property damage.

18.06 PREVENTABLE ACCIDENTS

A preventable accident is defined as an accident that the driver/operator could have reasonably prevented.

This interpretation of a preventable accident imposes on each driver the positive duty of doing all that can be done within reason under the particular circumstances to avoid accidents. The driver is expected to carefully anticipate emergency situations, drive defensively, and to make every possible effort to avoid accidents.

Preventable accidents are caused by driver error or an imprudent act when the state driver/operator fails to take the "last clear chance" to avoid the accident. Except for accidents involving mechanical failure, the decision as to whether the accident is preventable is to be based solely on whether or not the driver exercised prudent and careful judgment. Did the driver attempt to avoid the accident regardless of any legal rights (such as right-of-way at intersection) to which he/she may have been entitled under the Vehicle Code?

If the driver fails to take the "last clear chance" to avoid an accident, the accident is preventable regardless of the question of primary responsibility for the accident. The test to be applied is one of preventability, taking all facts and circumstances under consideration.

18.07 NON-PREVENTABLE ACCIDENTS

A non-preventable accident is defined as an accident that occurred with the vehicle/equipment and the state driver or operator did exercise prudent and careful judgment in an attempt to avoid the accident.

Generally, driver error or an imprudent act of the other driver causes these accidents, where the state driver/operator has no control over the acts of others.

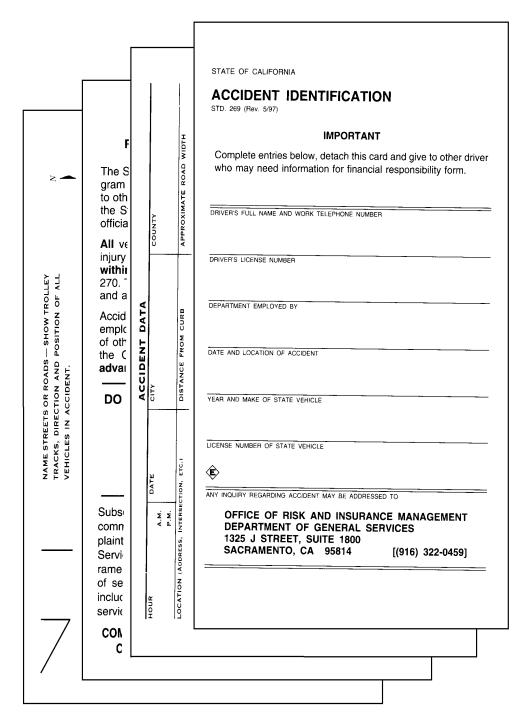
18.08 NOTIFICATION OF PREVENTABLE ACCIDENT AND THE EMPLOYEE'S RIGHT TO APPEAL

Employees who are charged with a preventable accident shall be notified in writing by the District or Headquarters Safety and Health Officer.

Since they may be denied benefits and/or awards, Bargaining Unit 12 employees have an appeal process described in their Memorandum of Understanding (MOU). The appeal may be prepared by the supervisor, branch chief, region manager, etc.

ACCIDENT IDENTIFICATION

FORM STD. 269



THIS FORM IS AN EIGHT (8) SIDED, 4"X 6" FOLDED CARD, PRINTED BACK-TO-BACK. ALL SIDES OF THE FORM ARE NOT SHOWN.

VEHICLE ACCIDENT REPORT - SIDE 1 FORM STD. 270 (Caltrans)

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VEHICLE ACCIDENT REPORT - SIDE 2 FORM STD. 270 (Caltrans)

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DATA INPUT FOR MOTOR VEHICLE ACCIDENT-SIDE 1

FORM PM-S-0270

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DATA INPUT FOR MOTOR VEHICLE ACCIDENT-SIDE 2

FORM PM-S-0270

DATA INPUT FOR MOTOR VEHICLE ACCIDENT LT: LIMITED TERM; PI: PERMANENT INTERMITTENT; TAU: TEMPORARY AUTH; RA: RETIRED ANNUITANT; PFT: PERMANENT FULL TIME; PPT: PERMANENT PART TIME; SPP: SPEC. PROGRAM PEOPLE; SA: PM-S-0270 (REV. 5/95) REPORTING MOTOR VEHICLE ACCIDENTS STUDENT ASSISTANT; CE: CONTRACTOR EMP. SELECTION OF BASIC CAUSE: The supervisor, after discussing the accident with the driver or worker and making such investigation as is necessary, shall select and indicate a BASIC CAUSE for the accident for either of both - (1) the State driver or worker, (2) the other car, other worker, pedestrian, or object. ACCIDENT CLASSIFICATION: The following definitions from Section 16.02 of the Equipment Manual will be used to determine the appropriate classification of an accident. All class III accidents require that the full details of the accident investigation be included on the reverse of this form. Whether or not class or class II accidents shall be included on the reverse of this form shall be subject to direction from each individual Division or District. Consult with the District or Headquarters Safety Officer for direction in your area. CLASS I (a) - State vehicle indirectly involved - when a state veh s in the proximity of an accident and it may be alleged that the accident was due, in whole or in part, to the operation or position of the state-owned vehicle or equipment: CLASS I (b) - Work damage to others - when an adverse CLASS II (a) - W ork damage - Unavoidable damage to state ase of a traffic accident; cases, local law enforcement officials, as well as claims officer, must be notified immediately: CLASS II (c) - Operational damage to others - damage to another vehicle or property because of normal and operational use of state equipment or vehicles. This category does not include traffic accidents; CLASS III - Any accident which does not fall in Class I or II is a Class III accident. Every accident in which a state owned motor vehicle is involved and results in a reportable personal injury or in a death and any accident that is caused by driver error. PREVENTABILITY Except for accidents involving mechanical failure, the decision as to whether the accident is preventable is to be based solely on whether or not the driver exercised prudent and careful judgement in his/her attempt to avoid the accident regardless of any legal rights (such as right-of-way at intersection) to which he/she may have been entitled under the vehicle code This rule imposes on each driver the positive duty of doing all that can be done within reason under the particular circumstances to avoid accidents. He/she is expected to carefully anticipate emergency stuations, and to make every possible effort to avoid accidents. If the driver fails to avail himself/herself of the "last clear chance" to avoid an accident, the accident is preventable regardless of the question of primary responsibility for the accident. The test to be applied is one of preventability, taking all facts and circumstances under consideration. In addition to examining the actions of the driver regarding his/her taking the "last clear chance" to avoid this accident, please examine the facts of the accident to determine if the accident could have been prevented by 1) another Caltrans employee, 2) Caltrans management (yourself included) or 3) another party. If so circle the appropriate code. If another Caltrans employee could have prevented the accident, enter that employee's Social Security Number in the space provided and provide comments in the accident description as to what that employee could have done to prevent the accident. ACCIDENT PREVENTION PLAN FOR FIRST LINE SUPERVISOR 1) I HAVE TAKEN THE FOLLOWING ACTION(S) TO PREVENT RECURRENCE OF THIS TYPE OF ACCIDENT. 2) I RECOMMEND THE FOLLOWING ADDED ACTION(S) TO PREVENT THIS TYPE OF ACCIDENT 1ST LINE SUPERVISOR (Signature) DATE FOR SECOND LINE SUPERVISOR ☐ lagree ☐ disagree with 1st line supervisor actions and/or recommendations COMMENTS: 2ND LINE SUPERVISOR (Signature) DATE FOR SAFETY OFFICER This accident was preventable based on the facts as presented or as determined by Safety Office review or investigation. ☐ I agree ☐ disagree with actions and/or recommendations COMMENTS: SAFETY OFFICER (Signature) DATE